

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRICE H. ALLEN,)	
)	
Petitioner,)	Civil Action No. 2: 15-cv-0317
)	
v.)	United States District Judge
)	Nora Barry Fischer
)	
JAMES ECKARD, Superintendent, and)	
JOHN W. PECK, District Attorney of)	
Westmoreland County,)	
)	
Respondents.)	

ORDER

AND NOW, this 9th day of January, 2018, it is hereby **ORDERED, AJUDGED AND DECREED** that for the reasons set forth in the accompanying memorandum opinion, the Petition for Writ of Habeas Corpus filed by petitioner, Brice H. Allen, is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation [[ECF No. 15](#)] is **ADOPTED** as the opinion of the court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

BY THE COURT:

s/ Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc: BRICE H. ALLEN
HK-0223
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654
(via U.S. First Class Mail)

James T. Lazar
Westmoreland County District Attorney's Office
(via ECF electronic notification)